IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

LETTERS PATENT APPEAL No 89 of 2001
with
CIVIL APPLICATION No 10378 of 2000
in
SPECIAL CIVIL APPLICATION No 6017 of 1987

For Approval and Signature:

Hon'ble MR.JUSTICE B.J.SHETHNA
and
Hon'ble MR.JUSTICE RAVI R.TRIPATHI

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

G.S.R.T.

Versus

PARSHOTTAM PREMJI TANK

Appearance:

1. LETTERS PATENT APPEAL No. 89 of 2001
MR HARDIK C RAWAL for Appellant No.
RULE SERVED for Respondent No. 1

CORAM : MR.JUSTICE B.J.SHETHNA

and

MR.JUSTICE RAVI R.TRIPATHI

Date of decision: 14/08/2003

ORAL JUDGEMENT

(Per : MR.JUSTICE B.J.SHETHNA)

Against the impugned judgment and order dated 1.1.1986 passed by the Labour Court reinstating the respondent workman in service with 50% backwages, writ petition i.e. Special Civil Application No.6017 of 1987 was filed by the appellant-Corporation before this court, which was dismissed by the learned Single Judge by judgment and order dated 22.9.1999.

From the body of the petition as well as judgment of the learned Single Judge, it is clear that the impugned judgment and award passed by the learned Labour Court was challenged by the appellant-petitioner under Article 227 of the Constitution of India and the learned Single Judge has also exercised his supervisory jurisdiction under Article 227 of the Constitution of India.

In view of the above, Letters Patent Appeal against such order passed by the learned Single Judge would not be maintainable before this court, therefore, without going into the merits of the case then the appeal is required to be dismissed and accordingly it is dismissed.

Civil Application for stay is dismissed as the main appeal is dismissed. Rule issued in the Civil Application for stay is discharged.

(B.J.Shethna, J.)

(Ravi R. Tripathi, J.)

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